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Casella Slapped With "Operating Deficiency" For Leachate Spill

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The state is calling the responses by Casella Waste Systems regarding the 154,000-gallon leachate spill (pictured here in M its Bethlehem landfill "incomplete" and seeks more information to determine environmental and human health impacts. (Photo courtesy of the N.H. Department of Environmental Services)

The state is calling the responses by Casella Waste Systems on what could be the largest leachate spill in New Hampshire at its landfill in Bethlehem insufficient and said a lack of compliance could result in enforcement by the New Hampshire Department of Justice.

The letter of deficiency issued by the New Hampshire Department of Environmental Services on Wednesday marks the second letter that the company received in less than a week regarding deficient operations at the landfill.

It states that Casella's May 7 incident report on the leachate spill lacks key details, including possible risks to human health or environmental impact off property.



The 154,000-gallon spill, a result of human and equipment error, began on May 1 and went undetected for two days.

Leachate is produced mostly from rain and precipitation entering a landfill, and also from the decomposition of materials and liquids that are land-filled, and it contains chemicals and pollutants, some of them toxic and carcinogenic, from the materials it passes through.

On May 3, Casella reported the spill from the landfill's storage units outside of the waste deposit area and said it was released through an open conduit to a valve box that was no longer in service.

The liquid traveled westward into soil, over-topped the valve box, and flowed over the ground surface to a nearby storm water detention pond.

In the days following the incident, DES officials confirmed that the leachate spill could be the largest in the state.

In the company's incident report, Casella engineer John gay said remediation measures included managing all storm water in the detention pond as wastewater to be taken to a municipal wastewater treatment facility as well as removing the sediment underlying an area of the pond.

In DES's July 21 letter of deficiency, Debra Sonderegger, enforcement coordinator for the department's Waste Management Division, said deficiencies include Casella's failure to provide leak-tight leachate storage units, failure to operate and maintain the landfill in a manner that controls to the greatest extent practicable spills and assures compliance with the company's landfill permit, as well as an incident report that "lacks necessary details."



Casella's report states that the volume of leachate pumped after the tanks were reported full was 154,000, but that is an incomplete response because it lacks information required by the state's solid waste management rules on the quantity of liquids and sediments removed from the storm water pond and the quantity of the soils excavated in and around the subject valve box and other areas where the ground surface was excavated to remove potentially impacted soils, she wrote.

"For the assessment required pursuant to Env-Sw 1005.09(c)(4)d, the report states that the leachate was contained on site and therefore posed 'no risk to human health or safety or impact off property,'" said Sonderegger. "This is an incomplete response and does not include an assessment of 'actual or potential hazards to the environment, safety, and human health.'"

DES anticipates that such an assessment will include a review of the actual or potential hazards posed by leachate, the possible exposure routes (inhalation, ingestion, dermal contact) for humans and the environment, and will conclude whether an actual or potential hazard was posed to the environment, safety, and human health, including the health and safety of site workers, she said.

Sonderegger also said Gay's proposed measures to reduce, prevent, or eliminate a recurrence of the incident are incomplete "because the proposed measures do not address near or short-term measures, such as temporary operating procedures while there is unreliable communication with the Stage IV Phase II pump, and removing liquids and sediments in from the storm water pond ..."

In addition, she said, "The proposed measures also do not address long-term measures, such as a permanent resolution to the wireless communication issue, evaluating and decommissioning existing leachate infrastructure, and/or otherwise changing leachate management practices."

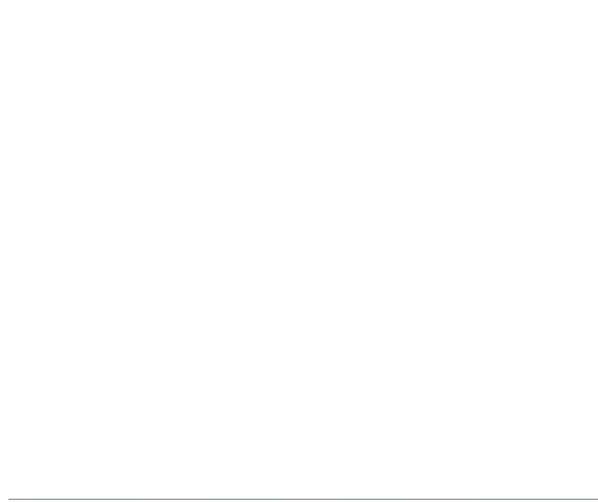
DES requests that Casella submit an amended incident report containing the identified missing information no later than Aug. 1 and provide monthly updates on the status of addressing leachate infrastructure and management practices until the measures have been in place for at least one month.

Potential enforcement actions for a failure to respond or not comply include an administrative order or a referral to the state Department of Justice for enforcement.

DES could also seek monetary penalties for deficiencies.

The letter of deficiency comes at a time when Casella is trying to drum up support for a landfill in Dalton - it would be the first new landfill in the state in decades - and is running into stiff opposition from local residents who are questioning the company's environmental record and who cite its history of fines, deficiencies, and violations at its landfill in Bethlehem and landfills in other states.

On July 16, after an earlier letter of deficiency, DES issued an administrative order to Casella that requires the company to immediately stop placing trash outside of the permitted vertical limits of its landfill in Bethlehem.



Robert Blechl